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ACTION EAP-00

INFO LOG-00 NP-00 AID-00 CIAE-00 INL-00 DODE-00 DS-00
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IRM-00 FMP-00 DSCC-00 PRM-00 DRL-00 G-00 NFAT-00
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FM AMCONSUL HO CHI MINH CITY
TO SECSTATE WASHDC PRIORITY 0924
INFO AMEMBASSY HANOI PRIORITY
AMEMBASSY BANGKOK PRIORITY
AMEMBASSY PHNOM PENH PRIORITY
AMEMBASSY VIENTIANE PRIORITY

UNCLAS HO CHI MINH CITY 000086

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SENSITIVE

DEPARTMENT FOR EAP/BCLTV, DRL, DRL/IRF

E.O. 12958: N/A

TAGS: PHUM SOCI PREL PGOV VM HUMANR RELFREE

SUBJECT: VIETNAM MENNONITE TORTURE CLAIMS UNCONVINCING

REF: A) 04 HCMC 1574 and previous; B) 04 Hanoi 2886

1. (SBU) Summary: U.S. and Canada-based religious groups published reports claiming that two Vietnamese Mennonite Church members were tortured throughout their nine-month prison term. These reports claimed that the two are under medial treatment for severe physical trauma, including potentially life-threatening damage. However, after our interviews of the two men, a review of available medical records and a discussion with the doctor that examined them immediately after their December 2 release, we conclude that the allegations of sustained and brutal torture are not credible. End Summary.

2. (SBU) Press releases circulated on the internet by the U.S. and Canada-based Mennonite World Conference and California-based Compass Direct from mid-January allege that two Vietnamese Mennonites, Nguyen Thanh Nhan, 22, and Nguyen Hieu Nghia, 24, suffered "non-stop beatings, deprivation and humiliation because of their Christian faith." The two brothers, along with their spiritual leader Nguyen Hong Quang, were among six Mennonites sentenced on November 12, 2004 for "resisting persons doing official duty," stemming from an altercation with police in March 2004 (reftels). Nhan and Nghia were released on December 2, having completed their nine-month sentence (which included time served in pre-trial detention).

3. (U) Inter alia, the press releases claim that: "the brothers recall loud screams of pain under torture reverberating through the cell-block and fading to nothing as, one by one, the brothers (and the other Mennonite prisoners) were beaten into unconsciousness. The brothers have had medical exams and are under treatment. Doctors were alarmed at what they found. Both had untreated broken noses. Nhan still has constant bouts of vomiting and Nghia a crippled leg. Both are unable to work."

4. (SBU) On January 20, PolOff and Deputy Consular Section Chief interviewed the two brothers in separate 90-minute meetings. Neither man showed signs of physical or mental trauma. Their gaits and posture were good and handshakes strong. They were friendly, mentally alert and agile. They were not emotional and smiled from time to time. They arrived and departed from the Consulate driving a motorbike, which they were able to use without any apparent problem.

Imaginary Scars?

5. (SBU) Nhan -- the younger brother -- told us that his cellmates stabbed him three times in the stomach and ten times in the back and neck with a homemade knife in one particularly vicious assault during his first month in prison. (He said the weapon was a hard plastic toothbrush whose base was whittled down to a point.) His brother Nghia claimed that prison guards whipped him with a bundle of electric cords on his back until he bled. Both claimed that police beat them throughout their nine-month imprisonment with their batons. Nhan also claimed that, six weeks before their trial, approximately mid-September, the police broke his nose during a beating. His elder brother claimed that his nose was broken during an assault by inmates.

6. (SBU) Poloff showed both men an old scar from a puncture wound and asked the two if they had any scars or markings on their bodies consistent with the attacks they said they suffered. They voluntarily consented to remove their shirts, but had no scars. They explained, "they naturally don't scar." They added that they used "warm rice compresses" and a special medicine provided by an

anonymous benefactor in jail to heal without scarring. Overall, during our interviews, both men repeatedly modified their claims about when and who assaulted them as well as the intensity of those beatings, shifting the blame for specific alleged incidents between the police and prisoners.

17. (SBU) The brothers told us that they were placed in cells, each holding up to 20 persons, adjacent to each other. Nghia said that, other than "one or two times," he never heard his sibling cry out. He maintained that he never cried out during his alleged beatings as such protests would only lead to further retribution from the gangs that ran the cells. (Note: both brothers were detained for at least two months at Chi Hoa Prison in HCMC. They alleged they were regularly beaten while in Chi Hoa. However, U.S. citizens also imprisoned at Chi Hoa during the same time did not report witnessing or hearing any beatings in the relatively small prison.)

No supporting medical evidence

18. (SBU) During our interview, both men told us that they had seen the same doctor in Ho Chi Minh City two or three times since their release in early December. They said that the doctor took x-rays and put them on a regimen of medicine for back pain and vertigo. However, they said they could not recall the name of the doctor, the name of the clinic or even the district in which the clinic was located. They said that after their last visit they had decided to discontinue Western treatment in favor of herbal remedies because Western medicine would take too long to cure them. Asked of their future plans, Nghia said that he would continue his studies and help his family on their rice farm in the Mekong Delta region. Neither brother claimed that their injuries would hinder their future employment.

19. (SBU) At our insistence, Nghia provided us late on January 21 with a medical record book from Nhat Minh clinic, which claims to be affiliated with "Med Net Care Canada." According to this document, Nghia visited the clinic on December 4 and December 12. On January 24, we spoke by telephone with Do Than Thuc, the attending doctor listed in the record. Initially, the doctor told us that he did not remember the two men, saying the he saw "hundreds of patients." After we mentioned the allegations of torture, he recalled having examined two brothers who had told him that they had been involved in unspecified beatings. According to the doctor, one brother complained of back pain. The other complained of vertigo and skin problems. The doctor told us that he conducted thorough examinations of the two men, including thorough head exams. The doctor said that he found no physical injuries or evidence of beatings or torture in either man. He confirmed that Nghia had a case of scabies, which he treated.

110. (SBU) Nghia's medical record adds that x-rays of the spine and head were taken and that they did not indicate any head or spinal injuries. The record states that Nghia complained of ill-defined stomach problems and vertigo, which he claimed was related to head trauma. The doctor did not support these claims, however.

Were the brothers coached?

111. (SBU) Nguyen Thanh Nhan said that neither he nor his brother had detailed their allegations to any foreign nationals before meeting with us. However, the wife of Pastor Quang told us in a separate phone conversation January 21 that a Canadian activist who had an established relationship with Pastor Quang had visited with the two men after their release, although she did not know for how long or what was discussed. A contact within the Vietnam House Church movement told us that a pastor in the movement had spoken with the two brothers immediately after their release and that neither had made any claims of abuse at that time. Our contact added that he had met the two brothers on January 20. While he was not convinced, he thought that some of the brothers' claims of abuse -- particularly by prison gangs -- might have occurred. He did not endorse the brother's claims of police brutality, based in part upon on his own experience as a prisoner.

112. (SBU) Comment: To be charitable, it is possible, perhaps even likely, that the brothers experienced some physical abuse -- particularly from other inmates. However, their allegations of sustained and brutal torture do not stand up to even modest scrutiny. It is notable that our contacts within the house church movement -- many of them colleagues of Pastor Quang -- shied away from endorsing the claims of the Mennonites. Pastor Quang and his followers appear willing to distort the truth to draw foreign attention to religious issues in Vietnam. Unfortunately, such claims undermine the credibility of other, far more serious house church organizations seeking to operate freely in Vietnam.

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